

September 5, 2007

Ms. Marlene H. Dortch  
Secretary  
Federal Communications Commission  
Room TW-A325  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

**EX PARTE**

**RE: In the Matter of *Special Access Rates for Price Cap Local Exchange Carriers, WC Docket No. 05-25; Petitions of AT&T, BellSouth and Qwest for Forbearance From Title II and Computer Inquiry Regulations with Respect to Broadband Services, WC Docket No. 06-125; Petitions of Embarq, Frontier and Citizens for Forbearance From Title II and Computer Inquiry Regulations with Respect to Broadband Services, WC Docket No. 06-147***

Dear Ms. Dortch,

I am writing this letter to explain my concerns about the consequences of the FCC action in the above referenced dockets. Symbio Solutions is concerned that the incumbent local exchange carriers may dramatically increase prices for services we use to manage our business if the FCC diminishes or eliminates the level of regulation currently applicable to DS1, DS3, OCn and Ethernet services.

In 2002, Symbio Solutions began with two employees, a concept, and the financial support and personal dedication to make a great concept real. From the beginning, we knew that even a great concept could quickly fail if the approach were wrong. We understood that an industry as unique as healthcare required specifically designed solutions. With comprehensive planning and collaboration with healthcare professionals, and after only eleven months of development, we released Symbio version 2.0. Symbio was the first vendor management software designed specifically for healthcare organizations, and today, after steady and remarkable growth, it is the industry's leading service for vendor management technology. Hospitals and vendors coast-to-coast use Symbio to save time and money, and to virtually eliminate errors and redundancy.

To deliver our services to our customers I purchase services from competitive phone companies in order to receive better services at competitive rates. I understand that competition and technology provide numerous opportunities to improve the way I do business. But there are too many locations that are not served by competitive providers' networks. It is impossible for competition to exist, much less thrive, if a firm with market power like an incumbent local exchange carrier is allowed to exploit its control over facilities that connect to remote offices and branch locations but that are not directly connected to our service provider's network. Such exploitation would result in the incumbent's charging outrageously high prices and engaging in exclusionary pricing practices that prevent wholesale competition from developing. Ultimately, this would adversely affect my bottom-line and how I manage my network to deliver services to

my customers. It could eliminate the savings we provide to our customers and eliminate the competitive advantage that we have worked so hard to provide ourselves and our customers in the healthcare industry.

I urge the FCC to review the pending special access and forbearance proceedings closely and to limit incumbent local exchange carriers' opportunities to use their control over local transmission facilities too harm consumer welfare and competition. The Commission can do this by 1) insuring that DS1, DS3, OCn and Ethernet services are price regulated to limit future harmful price increases; and 2) prohibiting anticompetitive terms and conditions that have the effect of locking-up the market, preventing wholesale competition, and denying customers a choice among service providers. The FCC must also act to deny the flood of ILEC Forbearance Petitions that seek complete deregulation of services needed by competitors to supplement their own facilities at locations outside of their network footprints.

Pursuant to Section 1.1206(b) of the Commission's rules, 47 C.F.R. § 1.1206(b), one electronic copy of this notice is being filed in the above-referenced proceeding.

Sincerely,

[s]

John P. McGinty, Jr.  
Director of Information Technology  
McCombs Enterprises  
Dallas, Texas 78212